

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LEE HUNT, *as Personal Representative of the
Wrongful Death Estate of Ariza Barreras*, and
GABRIELLE VALDEZ, *Guardian ad Litem for*
T.B. and F.B., minor children,

Plaintiffs,

v.

No. 1:19-cv-700 KWR/KRS

STEPHANIE CROWNOVER, LEAH MONTANO,
GWENDOLYN GRIFFIN, KIM CHAVEZ-BUIE,
MICHELLE HILL, LORA VALDEZ, all in their personal
Capacities acting under color of state law,
and THE NEW MEXICO CHILDREN, YOUTH
AND FAMILIES DEPARTMENT,

Defendants.

SCHEDULING ORDER

THIS MATTER comes before the Court following a telephonic Rule 16 scheduling conference held on September 21, 2022. At the hearing, the Court adopted the parties' proposed Joint Status Report and Provisional Discovery Plan, with slight modifications, as reflected in the dates below

Accordingly, **IT IS HEREBY ORDERED** that the parties shall adhere to the following discovery plan:

- (a) Maximum of twenty-five (25) interrogatories by each party to any other party, with responses due thirty (30) days after service.
- (b) Maximum of twenty-five (25) requests for admission by each party to any other party, with responses due thirty (30) days after service.
- (c) Maximum of twenty-five (25) requests for production by each party to any other party, with responses due thirty (30) days after service.

(d) Maximum of ten (10) depositions by Plaintiffs and ten (10) by Defendants. Each deposition (including the depositions of parties, experts, and Rule 30(b)(6) witnesses) limited to maximum of seven (7) hours unless extended by agreement of parties.

IT IS FURTHER ORDERED that the following case management deadlines shall govern:

- (a) Deadline for Plaintiffs to amend pleadings and join additional parties pursuant to Federal Rule of Civil Procedure 15: **October 21, 2022;**
- (b) Deadline for Defendants to amend pleadings and join additional parties pursuant to Federal Rule of Civil Procedure 15: **October 21, 2022;**
- (c) Deadline for Plaintiffs' expert reports: **February 6, 2023;**
- (d) Deadline for Defendants' expert reports: **March 10, 2023;**
- (e) Termination of discovery: **June 30, 2023;**
- (f) Deadline for supplementing discovery/disclosures: Due under Rule 26(e) throughout discovery as required by the Rules of Civil Procedure;
- (g) Motions relating to discovery: **July 20, 2023;**
- (h) All other motions:¹ **July 31, 2023;**
- (i) Pretrial order: Plaintiffs to Defendants – **September 15, 2023**
Defendants to the Court – **September 29, 2023.**

IT IS FURTHER ORDERED that the Court must approve any changes to the timing or scope of discovery, other than the parties' agreement to extend the length of a deposition made during the deposition in question. Requests by a party to change the timing or scope of discovery, other than a mutual agreement to extend a deposition reached during the deposition,

¹ This deadline applies to motions related to the admissibility of experts or expert testimony that may require a *Daubert* hearing, but otherwise does not apply to motions *in limine*. The Court will set a motions *in limine* deadline in a separate order.

must be made by motion and before the termination of discovery or the expiration of any applicable deadline. Discovery must be completed on or before the termination of the discovery deadline. A written discovery request must be propounded by a date which ensures that the response to that request is due on or before the discovery deadline. The parties are further reminded that the cutoff for motions related to discovery does not relieve the party of the twenty-one (21) day time period under Local Rule 26.6 to challenge a party's objections to answering discovery. The parties are encouraged to review Federal Rule of Civil Procedure 26(a)(2) to ensure they properly disclose *all* testifying witnesses, not just those for whom a report is required.

A handwritten signature in dark ink, reading "Kevin Sweazea". The signature is written in a cursive, flowing style. The first name "Kevin" is written with a large, stylized "K" and "v". The last name "Sweazea" is written with a large, stylized "S" and "z".

KEVIN R. SWEAZEA
UNITED STATES MAGISTRATE JUDGE